

Message

From: Enck, Judith [Enck.Judith@epa.gov]
Sent: 3/3/2016 2:02:30 PM
To: Schulz, Susan [Schulz.Susan@epa.gov]
CC: McCabe, Catherine [McCabe.Catherine@epa.gov]; LaPosta, Dore [LaPosta.Dore@epa.gov]; Gorman, John [Gorman.John@epa.gov]; Simon, Paul [Simon.Paul@epa.gov]; Evangelista, Pat [Evangelista.Pat@epa.gov]; Matthews, Joan [Matthews.Joan@epa.gov]
Subject: Re: Earlier water test found high levels of toxins in water

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 2, 2016, at 2:00 PM, Schulz, Susan <Schulz.Susan@epa.gov> wrote:

HQ reports that this is very similar to the DuPont case with widespread contamination of PFOA in West Virginia. OECA-OCE-WCED has forwarded the details to OPPT-RAD in order to get a TSCA 8(e) determination. If OPPT finds that this meets the TSCA 8(e) Guidance for Substantial Risk information not previously known to EPA, then it is TSCA 8(e) and reporting would be required.

From: McCabe, Catherine
Sent: Wednesday, March 02, 2016 12:43 PM
To: Enck, Judith <Enck.Judith@epa.gov>; Schulz, Susan <Schulz.Susan@epa.gov>; LaPosta, Dore <LaPosta.Dore@epa.gov>
Cc: Gorman, John <Gorman.John@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; Matthews, Joan <Matthews.Joan@epa.gov>
Subject: RE: Earlier water test found high levels of toxins in water

Dore – I think OECA 's enforcement action against Dupont in 2006 or so was based on TSCA failure to report – in that case, results of further PFOA studies that showed increased risk – a slightly different issue, but still a failure-to-report action under FIFRA

From: Enck, Judith
Sent: Wednesday, March 02, 2016 11:11 AM
To: Schulz, Susan <Schulz.Susan@epa.gov>; LaPosta, Dore <LaPosta.Dore@epa.gov>
Cc: Gorman, John <Gorman.John@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; McCabe, Catherine <McCabe.Catherine@epa.gov>; Matthews, Joan <Matthews.Joan@epa.gov>
Subject: RE: Earlier water test found high levels of toxins in water

Ex. 5 - Deliberative Process

From: Schulz, Susan
Sent: Wednesday, March 02, 2016 10:50 AM
To: LaPosta, Dore <LaPosta.Dore@epa.gov>
Cc: Enck, Judith <Enck.Judith@epa.gov>; Gorman, John <Gorman.John@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; McCabe, Catherine <McCabe.Catherine@epa.gov>; Matthews, Joan <Matthews.Joan@epa.gov>
Subject: RE: Earlier water test found high levels of toxins in water

I will check.

From: LaPosta, Dore
Sent: Wednesday, March 02, 2016 10:50 AM
To: Schulz, Susan <Schulz.Susan@epa.gov>
Cc: Enck, Judith <Enck.Judith@epa.gov>; Gorman, John <Gorman.John@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; McCabe, Catherine <McCabe.Catherine@epa.gov>; Matthews, Joan <Matthews.Joan@epa.gov>
Subject: Re: Earlier water test found high levels of toxins in water

Ex. 5 - Deliberative Process

Sent from my iPhone

On Mar 2, 2016, at 10:47 AM, Schulz, Susan <Schulz.Susan@epa.gov> wrote:

Ex. 5 - Deliberative Process

From: Enck, Judith
Sent: Wednesday, March 02, 2016 10:16 AM
To: LaPosta, Dore <LaPosta.Dore@epa.gov>; Gorman, John <Gorman.John@epa.gov>; Schulz, Susan <Schulz.Susan@epa.gov>
Cc: Simon, Paul <Simon.Paul@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; McCabe, Catherine <McCabe.Catherine@epa.gov>; Matthews, Joan <Matthews.Joan@epa.gov>
Subject: FW: Earlier water test found high levels of toxins in water

Ex. 5 - Deliberative Process

From: Fessler, Andrew
Sent: Wednesday, March 02, 2016 9:54 AM
To: Enck, Judith <Enck.Judith@epa.gov>
Subject: Earlier water test found high levels of toxins in water

Earlier water test found high levels of toxins in water

By Brendan J. Lyons

<http://www.timesunion.com/tuplus-local/article/04-water-test-finds-high-level-of-toxic-6864532.php>

PFOA under Petersburg plant hit 152,000 ppt, far above EPA safety limit

Updated 7:41 am, Wednesday, March 2, 2016

Petersburgh

The levels of a toxic chemical discovered in the well water at a plastics company in Petersburg in 2004 were once as high as 152,000 parts per trillion, far above the 400-ppt threshold recommended by the U.S. Environmental Protection Agency for short-term human exposure to the contaminant.

More recent tests, conducted in 2013, showed that the well water under the Route 22 plant had dropped significantly in the nine years since the contaminant PFOA was first discovered there. But the tests conducted in January 2013, from samples taken two months earlier, showed the levels of the contaminant in the unfiltered well water at the plant were still high — 7,500 ppt — but reduced to 420 ppt after the "finished" water was put through carbon filters.

A one-page summary sheet containing information that the company, Taconic, provided to state regulators recently was released by the state Department of Environmental Conservation late Tuesday in response to a request from the Times Union. The state said it took immediate action last month.

"On Feb. 10, DEC and (Department of Health) met with company officials when the company shared historical testing data that showed elevated levels of PFOA," said Emily DeSantis, a DEC spokeswoman. "Within days, the state Department of Health performed additional testing at the Taconic facility and in Petersburg. As soon as those results were known, the state secured bottled water for residents."

The document released by the state shows Taconic began testing its underground wells for the hazardous man-made chemical, perfluorooctanoic acid or PFOA, in November 2004. That was four months after the U.S. Environmental Protection Agency filed a widely publicized administrative action against DuPont, one of the manufacturers of PFOA, and accused the company of covering up information about the potential toxicity of the chemical. Taconic and several other specialty plants in Rensselaer County and southern Vermont have used PFOA in their manufacturing processes dating back decades.

It's unclear whether workers at the Taconic plant have ingested the tainted water, filtered or otherwise, and if so for how long. Taconic was founded in 1961, according to the company's website.

The company has told the state it provided alternative water or purchased carbon filters a decade ago for residents who live near the plant and have private wells. The company also told the state it has been making bottled water available to its employees for the same amount of time.

Taconic, like many other manufacturing plants that used PFOA, apparently became aware of the chemical's toxic capabilities after the EPA's administrative action 12 years ago accused DuPont of violating federal regulations for failing to report the substantial risk of injury to human health and the environment from PFOA between 1981 and 2001. The chemical is used to make non-stick and heat-resistant products ranging from airplane wiring to Teflon-coated cookware.

Taconic's plant near the Little Hoosic River makes specialty products including silicone-coated fabrics and tapes.

In 2006, the EPA reached an agreement with DuPont and other manufacturers to stop producing or using PFOA, although DuPont continued producing PFOA because the agreement did not call for the end of production of the chemical until 2015. The EPA settlement with DuPont came less than a year after DuPont agreed to pay \$10.25 million in civil penalties to settle the complaint brought by the EPA regarding the company's PFOA pollution in the Midwest. At the time, it was the largest civil administrative penalty ever obtained by the EPA under federal environmental statutes.

The 152,000 ppt level of PFOA found in the water at Taconic's plant in 2004 may be the highest ever reported for a drinking water source, according to Robert A. Bilott, an Ohio attorney helping to represent an estimated 3,500 people in a class-action lawsuit against DuPont.

Bilott said, however, he is not familiar with the situation at Taconic and was speaking in general terms.

In January 2009, the EPA set its advisory for short-term exposure to PFOA at no more than 400 ppt. Last month, the agency set a long-term exposure limit of 100 ppt that applies to regular residential water use.

Taconic officials met privately with state regulators late last month following recent heightened interest in the chemical after it was discovered in the Hoosick Falls village water system at levels the EPA said are not safe for human consumption.

Despite concerns about the potential toxicity of PFOA, the discovery of PFOA in the wells at Taconic's plant in 2004 did not trigger any public notification or environmental investigation when the DEC was notified about the situation that year, according to state officials. At the time, PFOA was not a regulated contaminant.

The focus on PFOA contamination in this region began quietly unfolding in August 2014 when a Hoosick Falls resident, Michael Hickey, had samples of the village's water tested for the chemical. The results showed levels of PFOA in the village's water system that exceeded the EPA advisory for short-term exposure. Hickey, an insurance underwriter, began researching contaminants in the village water because he was concerned about what he believed was a high rate of cancer in the community.

His father, John, died of kidney cancer in 2013 after working for decades at the Saint-Gobain Performance Plastics plant on McCaffrey Street, which has been the focus of water contamination in the village.

A Saint-Gobain spokesperson said the company ceased all use of PFOA at its McCaffrey Street plant in December 2014, the same month the village notified the company about the pollution discovered in the municipal well system, which is a few hundred yards from the Saint-Gobain plant. Saint-Gobain tested the groundwater under its plant last year and found levels as high as 18,000 parts per trillion.

In recent weeks, traces of the chemical have been found in private wells and public water supplies in the town of Hoosick, well outside the village, and in North Bennington, Vt., where Saint-Gobain also had a manufacturing plant that closed in 2002.

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